

Contractor Logistics Services (CLS) Solutions Panel
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**1998 Business Opportunities Fair &
Acquisition Reform RoadShow**
Marine Corps Logistics Bases, Albany, GA
November 19, 1998

The very nature of our business will put us in a theater of conflict at one time or another. When a Contractor is awarded a Total Contractor Logistics Support (CLS) contract it may include all or some of the nine (9) Integrated Logistics Support (ILS) elements such as provisioning, maintenance, training, and/or facilities. The Contractor may find themselves deploying with the troops to a forward base or aboard a combatant ship in a combat zone. Should this happen, Contractor personnel, who are not military, and are not automatically covered under the Geneva Conventions, may find themselves in situations where the battle has been brought to them. They run the risk of being wounded, killed, or captured. In wartime, a person in civilian clothes may be considered a spy and executed on the spot. The Geneva Conventions protects military and some civilians in wartime situations. Contractors who deploy with combatants will need to be issued the Geneva Conventions Card, which is just a small part of the overall concern a Contractor may face under these unusual circumstances.

Contract Logistics Support (CLS) is certainly not new when you consider the historical perspective. We can go as far back as the Yangtze and Yellow River Patrols where wardroom and mess personnel, as well as the hull and engineering billets were contracted from the local population. These Chinese knew that if captured by a rival fraction, they would be unceremoniously put to death, or even worse, their pigtail would be cut off. Prior to WWII, U.S. Navy ships on station in the Philippines used contracted Filipino personnel as stewards. These stewards were not military because they were not US citizens. As WWII broke out in the Pacific, the Japanese warned the Filipinos that if they continued to serve the US, they would be put to death if captured. This caused the U.S. to issue a special provision inducting Filipino nationals into the U.S. Navy as Stewards. Many became US citizens and stayed in the military after the war, some retained their Philippine citizenship and returned to the Philippines after twenty years service to live on a retirement annuity.

During the CLS contracting process, both the military and the Contractor must consider some important questions:

1. What happens if a Contractor has personnel who, like some previous generations were anti-war activists, who may tell their boss, "Hell no I won't go"?
2. How do we compensate the Contractor personnel in a war zone? Give them combat pay?

3. What if the Contractor's personnel are NG or Reserve personnel and get called on active duty, and cannot deploy as a Contractor?
4. What are the legal issues?
 - a. Lose job if he/she declines to go.
 - b. Insurance War clause(s) may drop coverage for Medical or Life.
 - c. Survivors may sue Government.
 - d. Survivors may sue Contractor.